

108TH CONGRESS
2D SESSION

H. R. 4178

To award posthumously a congressional gold medal to Thurgood Marshall.

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2004

Mr. PAYNE (for himself, Mr. CASTLE, Mr. TOM DAVIS of Virginia, Mr. SCOTT of Virginia, and Mr. WOLF) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To award posthumously a congressional gold medal to
Thurgood Marshall.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress makes the following findings:

5 (1) Thurgood Marshall, the grandson of a slave,
6 was born in Baltimore, Maryland on July 2, 1908.

7 (2) In his youth, Thurgood Marshall developed
8 an interest in the Constitution and the rule of law.

9 (3) Despite graduating from Lincoln University
10 in Pennsylvania in 1930 with honors, Thurgood

1 Marshall was denied acceptance at the all-white Uni-
2 versity of Maryland Law School because he was an
3 African American.

4 (4) Thurgood Marshall instead attended law
5 school at Howard University, the country's most
6 prominent black university, and graduated first in
7 his class in 1933.

8 (5) From 1940 to 1961, Thurgood Marshall
9 served as the legal director of the National Associa-
10 tion for the Advancement of Colored People
11 (NAACP).

12 (6) Beginning with the case of *Chambers v.*
13 *Florida* in 1940, Thurgood Marshall argued 32 cases
14 before the Supreme Court and won 29 of them,
15 earning more Supreme Court victories than any
16 other individual.

17 (7) Under the leadership of Thurgood Marshall,
18 the NAACP fought to abolish segregation in schools
19 and challenged laws that discriminated against Afri-
20 can Americans.

21 (8) In 1954, Thurgood Marshall argued *Brown*
22 *v. Board of Education* before the Supreme Court, a
23 case which resulted in the famous decision that de-
24 clared racial segregation in public schools unconsti-

1 tutional, overturning the 1896 decision in Plessy v.
2 Ferguson.

3 (9) In 1961, President John F. Kennedy ap-
4 pointed Thurgood Marshall to the United States
5 Court of Appeals for the 2nd Circuit despite heavy
6 opposition from many southern Senators.

7 (10) Thurgood Marshall served on the United
8 States Court of Appeals for the 2nd Circuit from
9 1961–1965, during which time he wrote 112 opin-
10 ions, none of which was overturned on appeal.

11 (11) In 1965, President Lyndon Johnson ap-
12 pointed Thurgood Marshall to the position of Solic-
13 itor General, a post he held from 1965–1967.

14 (12) In 1967, President Johnson appointed
15 Thurgood Marshall as the first African American
16 Justice to serve on the Supreme Court.

17 (13) During the 24 years he served on the Su-
18 preme Court, Thurgood Marshall promoted affirma-
19 tive action and sought protection for the rights of all
20 Americans, continuing to support integration but
21 also championing the rights of women, children,
22 prisoners, and the homeless.

23 (14) Thurgood Marshall died on January 24,
24 1993 at the age of 84.

1 **SEC. 2. CONGRESSIONAL GOLD MEDAL.**

2 (a) PRESENTATION AUTHORIZED.—The Speaker of
3 the House of Representatives and the President Pro Tem-
4 pore of the Senate shall make appropriate arrangements
5 for the presentation, on behalf of Congress, of a gold
6 medal of appropriate design, to the family of Thurgood
7 Marshall, in recognition of the contributions of Thurgood
8 Marshall to the Nation.

9 (b) DESIGN AND STRIKING.—For purposes of the
10 presentation referred to in subsection (a), the Secretary
11 of the Treasury (referred to in this Act as the “Sec-
12 retary”) shall strike a gold medal with suitable emblems,
13 devices, and inscriptions to be determined by the Sec-
14 retary.

15 **SEC. 3. DUPLICATE MEDALS.**

16 The Secretary may strike and sell duplicates in
17 bronze of the gold medal struck pursuant to section 2
18 under such regulations as the Secretary may prescribe, at
19 a price sufficient to cover the cost thereof, including labor,
20 materials, dies, use of machinery, and overhead expenses,
21 and the cost of the gold medal.

22 **SEC. 4. STATUS OF MEDALS.**

23 (a) NATIONAL MEDALS.—The medals struck under
24 this Act are national medals for purposes of chapter 51
25 of title 31, United States Code.

1 (b) NUMISMATIC ITEMS.—For purposes of section
2 5134 of title 31, United States Code, all medals struck
3 under this Act shall be considered to be numismatic items.

4 **SEC. 5. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF**
5 **SALE.**

6 (a) AUTHORITY TO USE FUND AMOUNTS.—There is
7 authorized to be charged against the United States Mint
8 Public Enterprise Fund such amounts as may be nec-
9 essary to pay for the costs of the medals struck pursuant
10 to this Act.

11 (b) PROCEEDS OF SALE.—Amounts received from the
12 sale of duplicate bronze medals authorized under section
13 3 shall be deposited into the United States Mint Public
14 Enterprise Fund.

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